

**1. CALL TO ORDER**

The Board of the Burbank Sanitary District convened this date at 7:00 p.m. via teleconferencing in accordance with AB361. President Sclafani called the meeting to order at 7:04 p.m.

**2. ROLL CALL**

Directors Present: Ken Colson, Rene Prupes, Procopio Sclafani, Michelle Kaelker-Boor, Rebecca Yoder  
Directors Absent: None  
Counsel Present: Valerie Armento (present for the beginning of the open session, and the entire closed session)  
Staff: Benjamin Porter (District Manager), Vani Kathula (Senior Engineer)  
Visitors: None

**3. APPROVAL OF AGENDA**

**Motion:** To approve the agenda.

**Move:** Kaelker-Boor                      **Second:** Prupes

**Board vote:**                                      **Ayes:** Colson, Prupes, Sclafani, Kaelker-Boor, Yoder  
**Noes:** None  
**Absent:** None

**4. PUBLIC COMMENTARY**

4.A. Visitor Commentary – None.

4.B. Agency Representatives – Manager Porter reported that Deputy Manager Woodhouse is on vacation, so he is excused from this Board Meeting.

4.C. Board Commentary - None.

**5. AB 361**

The Board of Directors makes the following findings required by AB 361 in order to continue holding meetings by teleconferencing electronically: (1) the March 4, 2020 Governor’s Proclamation of a State of Emergency is still in effect, (2) the County of Santa Clara has a Universal Indoor Face Covering Order in effect and continues to encourage social distancing, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

**Motion:** Move make findings (1), (2), and (3) in accordance with AB 361.

**Move:** Kaelker-Boor                      **Second:** Yoder

**Board vote:**                                      **Ayes:** Colson, Prupes, Sclafani, Kaelker-Boor, Yoder  
**Noes:** None  
**Absent:** None

**6. CLOSED SESSION**

**5.A. CONFERENCE WITH LEGAL COUNSEL –EXISTING LITIGATION**

Government Code Section 54956.9(d)(1) Name of Case: County Sanitation District 2-3, West Valley Sanitation District, Cupertino Sanitary District, Burbank Sanitary District and the City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 through 50 inclusive.

Closed session discussion commenced at 7:12 pm and ended at 7:21 pm. Manager Porter and Senior Engineer Kathula were excused. No reportable action was taken at the closed session. Staff rejoined the regular session at 7:41 pm.

**7. CONSENT CALENDAR**

7.A. Approval of Minutes from the Regular Meetings of December 7, 2021

**Motion:** To approve Meeting Minutes from the Regular Meetings of December 7, 2021.

**Move:** Yoder

**Second:** Colson

**Board vote:**

**Ayes:** Prupes, Sclafani, Kaelker-Boor, Colson, Yoder

**Noes:** None

**Absent:** None

**8. WARRANTS**

8.A. Approval of Warrants.

1. Mark Thomas & Company, Inc. (District Management Services and BSD CIPs)
2. First Tech Federal Credit Union (Board of Directors' Payroll)
3. Richard Tanaka (District Advisor Services)
4. ABJDD Plumbing (Lateral Stoppage – 439 Leigh Ave)
5. Imperium First Consulting (Davis Bacon Wages Consultant for CIP Project)
6. Inspection Services, Inc. (Special Inspection & Material Testing for CIP Project)
7. County Roads & Airports (Encroachment permit – Annual Spring Clean-up)
8. California Association of Sanitation Agencies (CASA) – Membership Renewal (2022)
9. State Water Resources Control Board (Annul Permit Fee 7/1/21 – 6/30/22)
10. Southwest Pipeline & Trenchless Corp (District-Wide CIP Project)

**Motion:** To approve Ten (10) warrants as listed.

**Move:** Colson

**Second:** Yoder

**Board vote:**

**Ayes:** Prupes, Sclafani, Kaelker-Boor, Colson, Yoder

**Noes:** None

**Absent:** None

The Board inquired about the SSO incident. Manager Porter clarified that it was a standard backup call. The blockage was caused by roots in the lower lateral. District staff responded diligently and performed routine steps to resolve the issue.

**9. NEW BUSINESS**

9.A. Board Elections. Elect a new President and Secretary for 2022.

The Board nominated Director Sclafani for Board President and Director Prupes for Board Secretary for 2022.

**Motion:** To elect Director Sclafani for President.

**Move:** Prupes

**Second:** Colson

**Board vote:**

**Ayes:** Kaelker-Boor, Yoder, Colson, Prupes, Sclafani

**Noes:** None

**Absent:** None

**Motion:** To elect Director Prupes for Secretary.

**Move:** Colson

**Second:** Yoder

**Board vote:**

**Ayes:** Sclafani, Kaelker-Boor, Colson, Yoder, Prupes

**Noes:** None

**Absent:** None

**10. OLD BUSINESS**

10.A. Status of SRF Loan and CIP Update.

Manager Porter provided an update on the status of Budget Approval Package. District staff is awaiting approval of the budget and is preparing to submit the first reimbursement request upon approval.

Manager Porter also described visiting the site during CIP progression. The contractor appeared to be very proficient.

Senior Engineer Kathula will prepare three-week ahead schedule map that will be posted on Next Door.

10.B. Long Range Financial Planning.

Manager Porter sent out the google doc and strategic plan materials from other similar agencies that can be used to determine the content and direction of the long range financial plan.

Board to respond to the questionnaire by January 7, 2022

10.C. District Website Update.

Senior Engineer Kathula presented the Board the list of possible website enhancements that were developed during the BSD web migration process. She will email the Board the google document so that Board can provide their feedback by January 10, 2022.

10.D. GreenWaste Recovery, Inc. – Annual Spring Clean-Up Day Planning. Consider May 14, 2022, as the Annual Clean Up Day.

Board suggested to consider Sunday May 15, as the Annual Clean-up Day. Staff to check with GreenWaste and the school if they are available on Sunday, May 15, 2022. Staff also to check with GreenWaste if they plan to give away compost to the residents.

10.E. Annual Report.

Manger Porter presented the final draft of the annual report, which was edited by Mark Thomas graphic

designer. Board suggested some minor changes.

10.F. COVID-19 Update.

No Update.

**11. HOUSEKEEPING ITEMS**

11.A. Updates on Housekeeping Items.

President Sclafani and Director Prupes will be meeting in the District office on December 22, 2021 at 11:00 am. for signing the checks.

11.B. Agenda Items for Next Upcoming Meeting.

Manager Porter indicated that there is not currently anything on the agenda for January 4, 2022 and it may be canceled.

**12. ADJOURNMENT – NEXT REGULAR MEETING – Tuesday, January 4, 2022**

**Motion:** To adjourn meeting at 8:49 pm.

**Move:** Colson                      **Second:** Yoder

**Board vote:**                      **Ayes:** Colson, Kaelker-Boor, Sclafani, Prupes, Yoder  
**Noes:** None  
**Absent:** None

Approved: January 18, 2022

Respectfully Submitted,

**Mark Thomas & Company, Inc.**

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Procopio Sclafani, President

District Manager  
Benjamin T. Porter, PE